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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,885	07/12/2002	Pierre Bertrand	032326-170	6228

21839 7590 12/23/2003

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EXAMINER
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LEE, SEUNG H

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/807,885

Applicant(s)

BERTRAND ET AL.

Examiner

Seung H Lee

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**P riod for R ply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11/12/01
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "wherein said support has at least one opening through which the bottom an top layers communicate" in claim 14 is unclear. It is vague and indefinite to the examiner what the applicant is intending to describe of that the bottom and top layers, that is, how the bottom and top layers of IC card communicate? The Examiner will interpret the above-mentioned phase as "wherein said support sheet has at least one opening" until clarified by applicant.

Clarification and correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Jarvis (US 5,387,306, cited by applicant).

Jarvis teaches a method of producing a contactless integrated card (IC) card in which the IC card comprises an integrated circuit (1) connected to a conductive coils (10) serving as an antenna via a flexible substrate (3) wherein the integrated circuit and the coils are mounted on a plastic body (7) wherein the plastic body is dielectric material and the IC card also comprises covering layers (34 and 35), belts (21 and 22) and heated shoes (30 and 31) for mould cavity serve as die for extruding the layers with the substrate, a third spool (40) providing substrate and the integrated circuit and coils mounted thereon by unwound continuously, dividing card individually, plastic skins (8 and 9) having identifying indicia serving as a label (see Figs. 1-5; col. 2, line 7-col. 5, line 44).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 9-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jarvis in view of Masahiko (US 5,852,289).

The teachings of Jarvis have been discussed above.

Although, Jarvis teaches that the method of manufacturing the IC card, he fails to particularly teach that the method of manufacturing IC card comprising a step of cutting the products having a positing phase and a producing a winding with antenna and supply coil function for the chip.

However, Masahiko teaches a method for producing IC card comprising steps of positing and feeding the substrate (201) or an electric chip using the feeding holes (205a), providing a fixing resin (204) wherein the resin serving as a central core between two layers or films (203a and 203b) having an opening for receiving/mounting the electric chip and the antenna (202), mounting an electric chip connected to an antenna (202) (see Figs. 12 and 14; col. 9, line 17- col. 10, line 35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Masahiko to the teachings of Jarvis in order to provide an improved quality control system for supplying the electric circuits and the antennas separately for installing on the substrate for manufacturing IC card, that is, only defected circuits (e.g., circuits and/or antenna) are needed to be replaced when defects circuits are found rather than the whole threads comprising the circuits and antenna. Moreover, such modification would reduce a cost of manufacturing means

for replacing only defected components rather than whole threads, and therefore an obvious expedient.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Maestri et al. [US 6,066,231] and Vogt [US 5,804,026] disclose a method for producing identity card.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894, and new telephone number, (571) 272-2401, will be effective on 15 January 2003. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [[seung.lee@uspto.gov](mailto:seung.lee@uspto.gov)].


*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published*

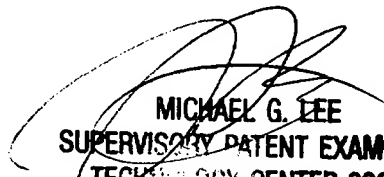
Application/Control Number: 09/807,885  
Art Unit: 2876

Page 6

*in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Seung H. Lee  
Art Unit 2876  
December 15, 2003

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800